

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MILAGROS LUDY,

Plaintiff,

v.

**JO ANNE B. BARNHART,
COMMISSIONER OF SOCIAL
SECURITY,**

Defendant.

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CIVIL ACTION

NO. 07-2422

ORDER

AND NOW, this 30th day of June, 2008, upon consideration of the parties' cross-Motions for Summary Judgment, and after careful review of the Report and Recommendation of United States Magistrate Judge Peter S. Scuderi, and no objections having been filed, **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation dated June 23, 2008, is **APPROVED** and **ADOPTED**;
2. The Plaintiff's Motion for Summary Judgment is **DENIED**; and
3. The Defendant's Motion for Summary Judgment is **GRANTED**.

BY THE COURT:



Hon. Petrese B. Tucker, U.S.D.J.